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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Thomas *et al.*

Confirmation No.: 4439

Application No.: 09/978,274

Art Unit: 1649

Filed: October 15, 2001

Examiner: To be assigned

For: PLANT CELL DEATH SYSTEM

Attorney Docket No.: 9341-028-999

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.56**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to the references AA through AZ listed on the attached revised form PTO 1449, copies of which are being submitted herewith.

Identification of the listed references is not to be construed an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art." As an alternative, Applicants submit herewith a revised form PTO 1449 entitled "List of References Cited by Applicants" instead of "List of Prior Art Cited."

Applicants respectfully request that the Examiner review the listed references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(b), since this information disclosure statement is being filed before the mailing date of a first Office Action on the merits, no fee is due in

connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Pennie & Edmonds LLP deposit account no. 16-1150. A duplicate of this sheet is enclosed.

Date: September 20, 2002

Respectfully submitted,

Laura A. Coruzzi

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Enclosures